

VZCZCXYZ0000  
PP RUEHWEB

DE RUEHDG #0344/01 0321357  
ZNY CCCCC ZZH  
P 011357Z FEB 06  
FM AMEMBASSY SANTO DOMINGO  
TO RUEHC/SECSTATE WASHDC PRIORITY 3358  
INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE PRIORITY  
RUEHWN/AMEMBASSY BRIDGETOWN PRIORITY 1852  
RUEHBU/AMEMBASSY BUENOS AIRES PRIORITY 0132  
RUEHCV/AMEMBASSY CARACAS PRIORITY 0529  
RUEHGE/AMEMBASSY GEORGETOWN PRIORITY 0803  
RUEHKG/AMEMBASSY KINGSTON PRIORITY 2506  
RUEHMU/AMEMBASSY MANAGUA PRIORITY 0512  
RUEHZP/AMEMBASSY PANAMA PRIORITY 0662  
RUEHPO/AMEMBASSY PARAMARIBO PRIORITY 0945  
RUEHPU/AMEMBASSY PORT AU PRINCE PRIORITY 4095  
RUEHSP/AMEMBASSY PORT OF SPAIN PRIORITY 1605  
RHEHNSC/NSC WASHDC PRIORITY  
RHEFDIA/DIA WASHINGTON DC PRIORITY  
RHEFDIA/DIA WASHDC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY  
RUEATRS/DEPT OF TREASURY WASHDC PRIORITY  
RUEAHLA/HQS DHS WASHDC PRIORITY  
RUEAHLA/HOMELAND SECURITY CENTER WASHINGTON DC PRIORITY  
RUCNFB/DIRFBI WASHDC PRIORITY  
RUMISTA/CDR USSOUTHCOM MIAMI FL PRIORITY

C O N F I D E N T I A L SANTO DOMINGO 000344

SIPDIS

SIPDIS

STATE FOR D, WHA, WHA/CAR, WHA/CEN, INR/IAA, INL, G/TIP,  
L/T, L/LEI;  
STATE PASS DEA FOR OEL-LUIS PIZARRO;  
NSC FOR FISK; USSOUTHCOM ALSO FOR POLAD;  
JUSTICE FOR CRIM/OIA-MAZUREK AND ORJALES;  
TREASURY FOR OASIA-J LEVINE; DHS FOR CIS-CARLOS ITURREGUI

E.O. 12958: DECL: 01/27/2021  
TAGS: [PREL](#) [PGOV](#) [DR](#) [SNAR](#) [KJUS](#) [KCOR](#) [EFIN](#) [PHUM](#) [NU](#) [HA](#)  
SUBJECT: DOMINICAN ATTORNEY GENERAL TO RUN FOR SENATE;  
REACTIVATES ALEMAN CASE

REF: A. SANTO DOMINGO 0287  
[1](#)B. SANTO DOMINGO 0273

Classified By: Ambassador Hans Hertell for Reason 1.4 (b) and (d).

[1](#)1. (C) Summary: On January 26 Dominican Attorney General Francisco Dominguez Brito previewed for the Ambassador that, at the request of his political party (the ruling PLD), he will take a three-month leave of absence to run for senator from Santiago in the May 16 election. He is responding to the request of the ruling PLD. He plans to announce this decision February 2. If elected, he will reassume his AG duties from May 16 only until the August 16 inauguration of the new legislature. An eventual possible replacement as AG is respected presidential legal adviser Cesar Pina Toribio. Dominguez Brito told us he has just called Nicaragua's Attorney General to obtain documents needed to investigate charges of money laundering here by Nicaraguan ex-president Aleman. The two-hour meeting touched additionally on extraditions, combating trafficking in persons, the Quirino Paulino narcotrafficking cases, possible accession to a multilateral treaty for transfer of prisoners, progress in reducing killings by the police, and Haiti. End summary.

[1](#)2. (U) On January 26 Dominican Attorney General Francisco Dominguez Brito accepted the Ambassador's invitation to drop by the Embassy to discuss his political plans as well as law enforcement and human rights issues. DCM and poloff attended.

Attorney General to Make Senate Run

- - - - -

13. (C) Dominguez Brito said that his party, the ruling PLD, had asked him in the May 16 elections for senator from his home province, including Santiago, the nation's second largest city. He was initially reluctant, but President Fernandez was granting him a leave of absence from February 16 to May 16 for the effort. If Dominguez Brito wins the election, he will reassume his current duties for the three months until the August 16 inauguration of the new legislature. If defeated, he will retain the post of Attorney General. He said the PLD faces a difficult situation in contending with a probable opposition alliance of the PRD and the PRSC. "My party's generals have told me I'm needed on the front where the battle is raging. How can I say no?" The campaign poses some risk to him personally, he said, because an election loss would have a high cost for his political future. He will conduct an intense campaign. The PLD planned to announce most of its candidates for the congressional and municipal elections on January 30 (Note: This announcement was subsequently postponed until February 15. End note.); Dominguez Brito said he would announce his bid separately. He asked the USG to hold this information closely until then.

14. (SBU) Dominguez Brito is generally regarded as an individual of principle, a view shared by the Ambassador and Embassy staff. He ran for the same senate seat in 2002 and narrowly lost. He believes that operatives from the PRD, his opponent's party, carried out electoral fraud. "And they are still there." Dominguez Brito is widely viewed as a potential presidential candidate, if not in 2008 then in 2012 or later.

15. (C) The AG said that, if opposition parties' "pink alliance" holds, his most likely adversary on May 16 will be PRD elder Rafael Abinader, university rector and unsuccessful aspirant for the PRD's 2004 presidential election. Embassy shares the AG's view that if Abinader becomes the opposition candidate, Dominguez Brito is likely to win.

16. (C) Deputy AG Rodolfo Espineira Ceballos will run the Justice Ministry during the AG's leave. Dominguez Brito believes that if he wins, his most likely successor as Attorney General will be presidential legal Cesar Pina Toribio. Dominguez Brito sees Pina Toribio as an honest legal expert favoring an institutional approach with ethical weight and strong ties to civil society groups and to the Supreme Court. Comment: We know that President Fernandez thinks highly of Pina Toribio, but do not know whom he would pick. End comment.

17. (U) The Ambassador expressed appreciation for the Attorney General's close collaboration with the Embassy over the past 17 months on law enforcement, judicial system reform, improving respect for human rights, and measures concerning counternarcotics and trafficking in persons. He said the USG looks forward to a continued productive relationship with him and any eventual successor as AG. The AG expressed similar appreciation for USG support.

Money Laundering  
- - - - -

18. (C) The Ambassador spoke of the need for Dominican authorities to investigate money laundering in this country by Nicaraguan ex-president Aleman (Ref A). The AG acknowledged that the United States and Nicaragua had asked him to pursue this topic last year, but he had never received the originals of documents requested from Nicaraguan authorities. Earlier the same day he had spoken with Nicaragua's Attorney General, who replied that he had dispatched the documents last June 5. Dominguez Brito said he had never received them. The two agreed to task their staffs to locate the missing materials and deliver them as soon as possible. With those in hand, the Dominican authorities can investigate. Dominguez Brito said he had discussed the matter with Hieromy Castro of the Financial Investigation Unit of the Superintendency of Banks.

¶9. (C) The Ambassador inquired about evidence collected by DEA that two prominent politicians -- ruling PLD secretary general Reinaldo Pared Perez and opposition PRSC secretary general Victor Gomez Casanova -- had acquired luxury apartments paid for in cash from the Ulloa brothers, subsequently extradited to the United States to face drug trafficking charges. Dominguez Brito indicated that no investigation of the two politicians was contemplated, on grounds of insufficient evidence; "hundreds of businessmen buy similar properties," he said. He dismissed the idea that the PLD was removing him from the AG position in order to protect party members

#### Drug Trafficking

¶10. (C) Dominguez Brito expressed disappointment that so far, U.S. investigators of extradited drug traffickers, including Quirino Paulino and the Ulloa brothers, had not provided evidence implicating others still in the Dominican Republic, and implied that the slowness of the U.S. cases hurt the ability to hold and prosecute additional persons connected with Quirino in the Dominican Republic. He noted the recent Dominican judicial decision to release alleged Quirino accomplice Eleuterio Guante for lack of sufficient evidence. He asserted that many high-ranking military officers in the Mejia administration, such as former Dominican army commander Gen. Zorrilla Ozuna, had received money from the Quirino gang or other traffickers. Traffickers in the barrios buy protection from police and military personnel. Also he asserted that Quirino's band is still operating under the leadership of one of his family members.

#### Extraditions

¶11. (C) The Ambassador expressed disappointment that the names of four persons whom the United States had requested in extradition had been published this month in local newspapers. The news of the Supreme Court's issuance of extradition orders was published before the suspects could be located and detained. The AG acknowledged a procedural error within his office, which was being investigated, and he undertook to tighten and clarify the procedures. He believed that the press leak had come from "a secretary." He informed us that, despite this, one of the persons wanted for extradition had already been arrested.

#### Trafficking in Persons

¶12. (C) The Ambassador reiterated to Dominguez Brito our concern that Dominican authorities need to prosecute and convict more traffickers in persons under the Dominican Republic's 2003 TIP law. The DCM asked about a couple of potential cases.

¶13. (C) Noting that assembling documentary evidence can be difficult, the AG promised to review Dominican progress with Assistant Attorney General for TIP Frank Soto to see if any cases could be moved along. On a positive note, the AG said that some of the trafficking networks that existed in 2003, such as one that trafficked Dominican women to Argentina, had been dismantled. Trafficking had shifted toward other regions such as eastern Europe.

#### Prisoner Transfer Treaty

¶14. (C) The Ambassador asked about prospects that the Dominican Republic might join a multilateral treaty on prisoner transfers. While keeping alive the prospect of eventually joining such a treaty, the AG expressed concern over how many prisoners might take advantage of the treaty to return and, if they did, where the Dominican Government could

put them. "There is no place to put 2000-3000 repatriated prisoners," he said. The Ambassador suggested consideration of privately operated penal facilities, but Dominguez Brito countered that such a solution would be very expensive. The AG said Dominican authorities were working to improve prison conditions, and he invited the Ambassador to visit one or more newly renovated and reformed prisons.

#### Killings by Police

15. (C) The Ambassador raised the issue of indiscriminate extra-judicial killings by police in so-called exchanges of gunfire. The AG said that in December the number of such killings was at the lowest point in years, at 14 for that month -- a holiday season that has usually shown an increase over the average rate. Official figures indicate that the number of such killings had declined steadily since June. The AG attributed this reduction to the appointment of a new police chief in August, more vigorous investigation of policemen suspected of unjustified killings, implementation of the criminal procedures code, and the effects since early 2005 of the government's "Plan for Democratic Security."

#### Haiti

16. (C) On Haiti and recent incidents involving Haitian immigrants in the Dominican Republic, Dominguez Brito disagreed with those who would characterize as anti-Haitian the attacks in a poor neighborhood on the outskirts of Santo Domingo on January 22, which left 81 persons, mostly of Haitian origin, homeless and injured 10 or more. He acknowledged that a disturbance on the Dominican-Haitian border (Ref B) had been motivated by national resentments. Normally, Haitians and Dominicans live and work together peacefully, he said. He expressed concern over various recent outbreaks of hostility. As for Haiti's problems, he informally urged the United States to rebuild institutions there and improve conditions for the people, especially via education. "You should stay for 10 years, not less."

HERTELL